

OLC 78-0582

Washington, D.C. 20505

24 MAY 1978

Honorable Birch Bayh, Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

REFERENCE COPY
RETURN TO OS REGISTRY
FILE C-16A

Dear Mr. Chairman:

Late last year, Senator Inouye inquired (Q#992, 15 December 1977) about "originals" of certain listed documents that had not been located. He requested that an attempt be made to determine where such "originals" might now repose. This matter has been discussed with Mr. Michael Epstein, of your staff, and this letter constitutes a formal reply for the record. Specific responses concerning the documents mentioned by Senator Inouye are enclosed; they correspond to the paragraphs in the enclosure to Senator Inouye's inquiry.

Under procedures instituted pursuant to Executive Order 11652 and predecessor regulations, recipient departments or agencies are responsible for the protection of classified documents after receiving them. The volume of sensitive documents exchanged throughout the Executive Branch makes this a practical necessity. Secret level documents can be destroyed without the originator being informed, and without record of the destruction. Top Secret documents are signed for upon receipt by the addressee department or agency, and are handled in accordance with Top Secret control procedures. Addressees are not required to inform the originator when and if such a document is destroyed. It is, however, the addressee's responsibility to maintain a record of the document's disposition.

Section 1-604 of Executive Order 12036 contains implementing instructions for the DCI's statutory responsibility to protect intelligence sources and methods. Except for the Office of the DCI and CIA, this section limits the Director's authority to "Providing policy, guidance, and technical assistance to departments and agencies regarding protection of intelligence information..." Thus I have no authority to pursue the unaccountability of documents listed in Sections I, II, and X of the enclosure to Senator Inouye's letter. Sections III through IX, however, deal with unaccountable CIA documents. I have asked my Security Committee, including representatives of major Community components, to inquire into this matter. Thank you for bringing it to my attention.

Yours sincerely,

SIGNED

STANSFIELD TURNER

Enclosure

OS 8 1446 528806

STATINTL

Approved For Release 2002/05/29 : CIA-RDP85-00821R000100070005-4

Next 2 Page(s) In Document Exempt

Approved For Release 2002/05/29 : CIA-RDP85-00821R000100070005-4